

**REMARKS**

Claims 1-30 are pending in the application and stand rejected.

**Claim Rejections - 35 U.S.C. § 102(b)**

Claims 1, 2, 4, 9, 10, 17, 18, 20, 24-26, and 28 are rejected under 35 U.S.C. 102(b) as being anticipated by US 2002/0073244 (hereinafter "Davies"). Applicant traverses this rejection as follows.

Claim 1 recites, *inter alia*, a plurality of controlled devices; and

an application server performing the installation and management of applications for the plurality of controlled devices by using a framework capable of providing integrated support to a variety of home network middleware,

wherein the application server controls the plurality of controlled devices in response to the installed applications.

In the rejection, the Examiner contends Davies discloses the recited "application server performing the installation and management of applications for the plurality of controlled devices," as recited in claim 1. As support in Davies, the Examiner cites to paragraph [0028].

This paragraph provides:

The HAVi network 200 includes an IP and HAVi compliant device, i.e., an FAV, acting as a controller 210. The controller 210 runs a server 212 and includes HAVi software and APIs 214.

Additionally, the Examiner relies on paragraph [0035], which provides:

The HAVi stack 426 includes a device manager. As the FAV finds new devices coupled to the HAVi network 400, the device manager creates a device control module for each new device. These device control modules (DCMs) 424 are instantiated for all the devices on the HAVi network 400. The DCMs 424 allow the HAVi network 400 to interface with each IP device.

Notably, these portions of Davies relate to an FAV acting as a controller 210 and the creation of device control modules (DCMs) which allow the HAVi network 400 to interface with each IP device. However, nowhere do these portions, nor does any other portion of Davies, disclose: (1) an application server which performs the installation of an application; and (2) where the application server controls the plurality of controlled devices in response to the installed applications.

Rather, the DCMs merely enable the server 420 or FAV to communicate with a corresponding one of the devices in the HAVi network. In this way, the server 420 merely uses these interfaces to communication with each device. To the extent these module and interfaces exist in the network, the server 420 does not control the plurality of controlled devices in response to these applications. Rather, the server 420 merely uses these interfaces to communicate commands.

Thus, Applicant submits claim 1 is allowable for at least this reason. Because claim 17 recites a similar feature, Applicant submits this claim is allowable for the same reasons set forth above. Finally, Applicant submits claims 2, 4, 18 and 20 are allowable, at least by virtue of their dependency from either claim 1 or claim 17.

#### **Independent claims 9 and 24**

Regarding claims 9 and 24, the Examiner cites to paragraph [0028], which provides:

The HAVi network 200 includes an IP and HAVi compliant device, i.e., an FAV, acting as a controller 210. The controller 210 runs a server 212 and includes HAVi software and APIs 214.

Claim 9 recites, *inter alia*, one of the plurality of controlled devices controls the application server and performs installation and management of applications for the plurality of controlled devices, wherein the one of the plurality of controlled devices controls the plurality of

controlled devices in response to the installed applications.

Consequently, Applicant submits that even though Davies may disclose an FAV acting as a controller, Davies fails to disclose this FAV controls the plurality of controlled devices in response to these installed applications. Notably, these portions of Davies relate to an FAV acting as a controller 210 and the creation of device control modules (DCMs) which allow the HAVi network 400 to interface with each IP device. However, nowhere do these portions, nor does any other portion of Davies, disclose: (1) one of the controlled devices performs the installation of an application; and (2) where the one of the controlled devices controls the plurality of controlled devices in response to the installed applications. Rather, the FAV merely uses these interfaces to communicate commands.

Thus, Applicant submits claims 9 and 24 are allowable for at least this reason. Additionally, Applicant submits claims 10, 25, 26 and 28 are allowable, at least by virtue of its dependency.

**Claim Rejections - 35 U.S.C. § 103(a)**

Claims 3, 11, 19, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Davies in view of US 7,058,719 (hereinafter "Motoyama").

In response, Applicant submits that because Motoyama, either taken alone or in combination with Davies, fails to compensate for the above noted deficiencies of Davies as set forth above, claims 3, 11, 19 and 27 are allowable, at least by virtue of their dependency.

**Claim Rejections - 35 U.S.C. § 103(a)**

Claims 5-8, 12-16, 21, 22, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Davies in view of WO 02/09350 (hereinafter "Moonen").

In response, Applicant submits that because Moonen, either taken alone or in combination with Davies, fails to compensate for the above noted deficiencies of Davies as set forth above, claims 5-8, 12-16, 21, 22, and 29 are allowable, at least by virtue of their dependency.

**Claim Rejections - 35 U.S.C. § 103(a)**

Claims 23 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Davies in view of "UNIX Programmer's Manual," November 1971 (hereinafter "UNIX1971") and Moonen.

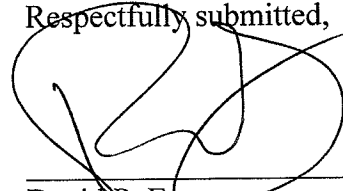
In response, Applicant submits that because UNIX1971, either taken alone or in combination with Davies and Moonen, fails to compensate for the above noted deficiencies of Davies as set forth above, claims 23 and 30 are allowable, at least by virtue of their dependency.

**Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "David P. Emery", written over a horizontal line.

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